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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA,

Case No. CR 19-419 SI

13 Plaintiff,

14 v.

15 JOHN LEE,

DECLARATION OF JOHN LEE IN
SUPPORT OF MOTION FOR
COMPASSIONATE RELEASE

16 Defendant.
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20 I, John Lee, state as follows:

21 1. I am the defendant in the above captioned case.

22 2. I have suffered from severe or moderate asthma since I was approximately 12 years old.

23 When I was approximately 16 years old, I was playing basketball at a gym and had a
24 severe asthma attack that required me to be hospitalized.

25 3. Now, I have wheezing from my asthma every day, and significant shortness of breath
26 from time to time. I also suffer from breathing problems and shortness of breath and
27 obstruction of my airway at night, almost every night. It frequently wakes me up. My
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1 family all knows I have breathing problems due to my asthma.

2 4. Unfortunately, I also have a bad habit of smoking cigarettes and smoked approximately a
3 pack a day from the age of 15 until I was arrested in this case. I am ashamed to say I
4 have also smoked narcotics throughout my life, which I believe has likely contributed to
5 my breathing problems.

6 5. I am currently incarcerated at Santa Rita Jail. When I arrived at Santa Rita Jail, I was
7 prescribed an Albuterol inhaler. When they did pill call, they would offer me the inhaler
8 and I used it frequently. A couple of weeks ago, the Santa Rita Jail medical staff came to
9 me and told me I didn't need the inhaler and no longer offered it to me. They did this at
10 approximately the same time I requested compassionate release and at the same time that
11 the pandemic because very serious and Coronavirus entered the jail. I have requested
12 that the inhaler be returned to me because I still need it.

13 6. I am housed in Unit 4D. There are approximately 30 inmates in my pod. The unit is
14 generally very dirty. We live in shared cells, with two inmates to a bunk bed. There is
15 no space for social distancing. We have a common mess area for food, common
16 showering area, and common bathrooms. We receive one mask, one bar of soap, and
17 three small packets of hand sanitized, per week. These protective items run out very
18 quickly. Like many other inmates, I'm trying to stay in my cell all the time to minimize
19 exposure but it is very difficult.

20 7. In early April, my unit was placed on quarantine, apparently due to exposure to deputies
21 who were exposed to coronavirus in another unit. In late April, I understand that two
22 inmates who were previously in my pod and who had earlier tested positive for
23 coronavirus, were returned to my pod, supposedly after they had recovered. These two
24 inmates remain in my pod to this day.

25 8. While in custody I have had no disciplinary issues whatsoever. I was taking a substance
26 abuse and parenting classes for approximately four months before the cancelled them as a
27 result of the pandemic.

1 I declare under penalty of perjury that the foregoing is true and correct. Signed by
2 consent through counsel, and dated on the 10th day of May, 2020, in Dublin, California.
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4 _____/S_____
5 JOHN LEE
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